Approved for use through 07/31/2006. OMB 0651-0031

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OF TRANSMIT	Application Numbe	r	08/900,55	9			
TRANSMIT S FORM	Filing Date		July 25, 19	997			
FORM		First Named Invent	tor	Cheng et a	al. Certificate		
JAN 0 5 2006 E		Art Unit		1645	JAN 1 0 2006		
(to be used for all correspondence	e after initial filina)	Examiner Name		Jana H. Hi	of Correction		
Total Number of Pages in This Su		Attorney Docket Nu	ımber	5241	or Correction		
	ENCLO	OSURES (check all tha	t apply)				
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Amendment / Reply	Petition				Communication to TC Notice, Brief, Reply Brief)		
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Affidavits/declaration(s)		Attorney, Revocation of Correspondence Add	ress	Status L	etter .		
Extension of Time Request	Terminal	Terminal Disclaimer			Other Enclosure(s) (please identify below):		
Express Abandonment Regu	Express Abandonment Request			Certificate of Return Post	f Correction (in duplicate)		
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☐ Reply to Missing Parts under 37 CFR1.52 or 1.53							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Genzyme Corporation							
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I hereby certify that this corresp Service with sufficient postage Alexandria, VA 22313-1450 on the	as first class mail	in an envelope addres	e USPTO sed to: C	or deposited ommissioner	with the United States Postal for Patents, P.O. Box 1450,		
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	chele Silver			Date	January 3, 2006		

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(Also Form PTO-1050)

# UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO: 6,979,576

Page <u>1</u> of <u>1</u>

APPLICATION NO.: 08/900,559
ISSUE DATE: December 27, 2005

INVENTOR(S): Cheng, Huang, Wu, Willrodt, Bradfield, Cunningham, and Fan

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Please add the Assignee as shown below:

-- Genzyme Corporation --

MAILING ADDRESS OF SENDER (Please do not use customer number below):
Richard D. Allison, Esq.
Genzyme Corporation
15 Pleasant St. Connector, Framingham, MA 01701

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Total Number of Pages in This Subr	nission 20	Attorney Docket Nu	mber	5241		
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Application Number	08/900,559
Filing Date	July 25, 1997
First Named Inventor	Cheng et al.
Art Unit	1645
Examiner Name	Jana H. Hines
Attorney Docket Number	5241

hereby revoke	all previous po	wers of attorney or authoriza	tions of ag	ent given in the	above-iden	ntified application:
OR	•	s submitted herewith. practitioners at Custom	er Numb	er: 24	536	
□ Please cl     □ Ple	nange the co	orrespondence address	for the	above-identi	ied applic	cation to:
				536		
OR						
☐ Firm or Individual Name Genzyme Corporation						
Address	15 Pleasant Street Connector Legal					
City		Framingham	State	MA	ZIP	01701
Country		US				
Telephone		(508) 270-2583	Email	richard.alli	son@ger	nzyme.com
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		HENATURE of Applica	ant or A	ssignee of I	Record	
Signature						
Name	Richard D.	Allison			<u>.</u>	
Date	July 28, 20	005	Telepi	none	(508) 2	70-2583
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☐ *Total of	forms ar	e submitted.				

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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### CHANGE OF CORRESPONDENCE ADDRESS Application

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	Application Number	08/900,559	
	Filling Date	July 25, 1997	
	First Named Inventor	Cheng et al.	
	Art Unit	1645	
	Examiner Name	Jana H. Hines	-
	Attorney Docket Number	5241	

Please change the Correspondence Address for the above-identified application to:					
The address associated with 24536 Customer Number:					
OR					
Firm or Genzyme Corporation Individual Name					
Address 15 Pleasant Street Connect Legal	13 Fleasant Street Connector				
City Framingham	State MA Zip 01701				
Country US					
Telephone (508) 270-2583	Email richard.allison@genzyme.com				
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Signature Supplied to the Supp					
Typed or Printed Richard D. Allison, Managing IP Counsel with Signature Authority					
Date July 28, 2005	Telephone (508) 270-2583				
NOTE: Signatures of all the inventors or assignees of reco- multiple forms if more than one signature is required, see b	rd of the entire interest or their representative(s) are required. Submit pelow*.				
Total of forms are submitted.					

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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POWER OF ATTORNEY	Application Number Filing Date	July 25, 1997
and	First Named Inventor	Cheng et al.
CORRESPONDENCE ADDRESS	Title	Methods of Use of One Step, Etc.
	Art Unit	1645
INDICATION FORM	Examiner Name	Jana H. Hines
	Attorney Docket Number	5241

70	Attorney	Docket Number	5241	
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Address	15 Pleasant Street Connector			
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City	Framingham	State MA	ZIP 01701	<u></u>
Country	US			
Telephone	(508) 270-2583	Email richard	d.allison@genzyme.com	1
I am the:	<u> </u>			······································
☐ Applicant/Invent	tor.			
Assignee of rec	ord of the entire interest. See 37 CFR	3.71.		
	37 CFR 3.73(b) is enclosed. (Form P1			
	SIGNATURE of Applic		of Record	
Signature	CAN KIKE	J		8, 2005
Name	Richard D. Allison	Teleph	one (508) 270-2583	
Title and Company	Managing IP Counsel of Genzyme Cor	poration with Signa	ture Authority	
NOTE: Signatures of all th	e inventors or assignees of record of the ent	<u>.                                      </u>	<b>-</b>	Submit multiple forms if
more than one signature is	s required, see below*.		<del></del>	<u>.</u>

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I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).  I hereby appoint:    Practitioners associated with Customer Number:	l si	hereby	revoke all p	previous powers o	f attorney giv	en in the applica	tion identifie	d in the attached	-
□ Practitioners associated with Customer Number:     OR      □ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):		lateme	nt under 37	CFR 3.73(b).		• • • • • • • • • • • • • • • • • • • •			
Assignee Name and Address:  Genzyme Corporation  Genzyme Corporation  Genzyme Corporation  Assignee Name and Address:  Genzyme Corporation  Genzyme Corporation	11	hereby a	ppoint:						
Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):    Registration   Name   Registration   Number   Registration   Number	×	Practition	oners associate	ed with Customer Nun	nber:	24536			
Name Registration Number Registration Number Registration Number  as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).  Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:  The address associated with Customer Number 24536  OR  Firm or Individual Name Genzyme Corporation  Address 15 Pleasant Street Connector Legal Department  City Framingham State MA Zip 01701  Country US  Telephone (508) 270-2583 Email richard.allison@genzyme.com		OR							ł
as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).  Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:  The address associated with Customer Number  OR  Firm or Individual Name Genzyme Corporation  Address 15 Pleasant Street Connector Legal Department  City Framingham State MA Zip 01701  Country US  Telephone (508) 270-2583 Email richard.allison@genzyme.co m		Practition	oner(s) named	below (if more than te		oners are to be name	d, then a custo	mer number must be us	sed):
as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).  Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:  The address associated with Customer Number  24536  OR  Firm or Individual Name Genzyme Corporation  Address 15 Pleasant Street Connector Legal Department  City Framingham State MA 2ip 01701  Country US  Telephone (508) 270-2583 Email richard.allison@genzyme.co m	m		h	Name			Name		
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A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the	in ea	ich appl	ication in whi	ch this form is used.	The statement	under 37 CFR 3.73	b) may be con	pleted by one of the	
practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.	prac	titioners	appointed in	this form if the appo	ointed practition	er is authorized to	act on behalf	of the assignee, and n	nust
		,	- ppincation in				<del></del> .	· · · · · · · · · · · · · · · · · · ·	
SIGNATURE of Assignee of Record  The individual whose signature and title is supplied below is authorized to act on behalf of the assignee			Merindy				act on behalf of	the assignee	
	Sigi	nature	13K)	WILLE	2		<del></del>		
	N:	ame	Richard D. A	Allison	<del></del>	Telephone	(508) 2	70-2583	
Signature Date July 28, 2005	7	itle	Managing IF	Counsel with Signatu	ure Authority	<u> </u>			-
Signature Date July 28, 2005	•				,			and the second s	d by the

complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/96 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

JAN 0 5 2006 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Reduction Act of 1995 Under the Paper persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEM STATEM	ENT UNDER 37 CFR 3.73(b)
Applicant/Patent Owner: Cheng et al.	
Application No./Patent No.: 08/900,559	Filed/Issue Date: July 25, 1997
Entitled: Methods of Use of One Step Immunoc	hromatographic Device for Streptococcus A Antigen
Genzyme Corporation	a Corporation
(Name of Assignee)	(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
states that it is:	
1.  the assignee of the entire right, title	and interest; or
2. an assignee of less than the entire	
The extent (by percentage) of its in the patent application/patent identified above	s ownership interest is %
	patent application/patent identified above. The assignment was Trademark Office at Reel, Frame, or for which a copy
OR	
B. \( \text{\tint{\text{\tint{\text{\tiliex{\text{\texi}}\text{\tin}}\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\texit{\text{\texi{\text{\texi}\text{\text{\texi}\text{\text{\text{\text{\text{\text{\text{\texi}\text{\texit{\text{\text{\	patent application/patent identified above, to the current assignee as
<ol> <li>From: Cheng, Wu, Cunningham, Huar The document was recorded in the U Reel 8916, Frame 0452, or for which</li> </ol>	Inited States Patent and Trademark Office at
2. From: Wyntek Diagnostics, Inc. The document was recorded in the UReel 016301, Frame 0464, or for wh	To: Genzyme Corporation  United States Patent and Trademark Office at ich a copy thereof is attached.
3. From:	То:
The document was recorded in the t	Jnited States Patent and Trademark Office at ich a copy thereof is attached.
☐ Additional documents in the chain of	f title are listed on a supplemental sheet.
	in the chain of title are attached.  f the original document(s)) must be submitted to Assignment f the assignment is to be recorded in the records of the
The undersigned twittees supplied below)	is authorized to act on behalf of the assignee.
The Cinnelland Mark	July 28, 2005
Signature Richard D. Allison	Date
Printed or Typed Name	(508) 270-2583  Telephone Number
Managing IP Counsel with Signature Authority	relephone Number
Title	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 22313-1450.





**Genzyme Corporation** 

500 Kendall Street Cambridge, MA 02142 Tel.: (617) 252-7500

Fax: (617) 252-7553

#### **SIGNATURE AUTHORITY**

I, Thomas J. DesRosier, Senior Vice President and General Counsel of Genzyme Corporation hereby appoint Madge R. Kanter, Richard D. Allison, Elizabeth Lassen and Bart G. Newland, all Managing Intellectual Property Counsel of Genzyme Corporation, with full power and authority to transact any and all business before the United States Patent and Trademark Office, and any foreign counterpart patent office, with the powers of a Corporate Officer of Genzyme Corporation.

Date: December 2 2003

Thomas J. DesRosier, Esq.

Senior Vice President and General Counsel

GENZYME CORPORATION



UNITED ST TES DEPARTMENT OF COMMERCE Patent and ademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

MARCH 11, 1998

PTAS

VICKI G. NORTON 633 WEST FIFTH STREET SUITE 4700 LOS ANGELES, CA 90071-2066



# UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 01/12/1998

REEL/FRAME: 8916/0452

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CHENG, SHU-CHING

DOC DATE: 08/05/1997

ASSIGNOR:

WU, MING-SHIAN

DOC DATE: 08/05/1997

ASSIGNOR:

CUNNINGHAM, HERBERT BRADFIELD

DOC DATE: 08/05/1997

ASSIGNOR:

HUANG, CHING

DOC DATE: 08/05/1997

ASSIGNOR:

FAN, EUGENE

DOC DATE: 08/05/1997

ASSIGNOR:

WILLRODT, MICHAEL

DOC DATE: 08/05/1997

2 5 1998

RECEIVED

MAR 1 9 1998

U.S. PROSECUTION

JAN 11 2006

#### 8916/0452 PAGE 2

ASSIGNEE:

WYNTEK DIAGNOSTICS, INC. 6146 NANCY RIDGE DRIVE SUITE 101 SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 08900559

PATENT NUMBER:

FILING DATE: 07/25/1997

ISSUE DATE:

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

(Re 051-0011 (exp. 4/94)	998 Patent and Trademark Office
72 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	MB 1-12-98
To the Honorable Commissioner of Paterns 1006214	
. 1 the de of conveying party(ies):	Name and address of receiving party(ies)
Shu-Ching Cheng, Ming-Shian Wu, Herbert Bradfield Cunningham, Ching Huang, Eugene Fan and Michael Willrodt	Wyntek Diagnostics, Inc. 6146 Nancy Ridge Drive, Suite 101 San Diego, California 92121
Additional name(s) of conveying party(ies) attached? Yes No_X_	Additional name(s) & address(es) attached? Yes No_X
3. Nature of conveyance:	
X Assignment	
Execution Date: August 5, 1997	
4. Application number(s) or patent number(s):	
If this document is being filed together with a new ap	plication, the execution date of the application is:
A. Patent Application No.(s)	B. Patent No.(s)
U.S. Application No. 08/900,559	
Additional numbers att	ached? Yes No.X.
<ol><li>Name and address of party to whom correspondence concerning document should be mailed:</li></ol>	6. Total number of applications and patents involved: 1
Name: <u>Vicki G. Norton</u>	7. Total fee (37 CFR 3.41) <u>\$40.00</u>
Street Address: 633 West Fifth Street	Enclosed
Suite 4700	X Charge Deposit Account 12-2475
01/36/149da Angeles State: <u>CA</u> Zip: <u>90071-2066</u> 01 FC:581 40.00 CH 08900559	8. Deposit account number:  12-2475
DO NOT US	E THIS SPACE
9. Statement and signature.	g information is true and correct and any attached copy is
Vicki G. Norton  Name of Person Signing  Significant S	12/30/97
	nature Date er sheet, attachments, and document: 5
	,

#### **ASSIGNMENT**

For valuable consideration, we, Shu-Ching Cheng of 6150 Lago Lindo, Rancho Santa Fe, California 92067, Herbert Bradfield Cunningham of 6535 Engineers Road, Julian, California 92084, Ching Huang of 635 Indigo Canyon Road, Chula Vista, California 91911, Ming-Shian Wu of 2139 Calle Guaymas, La Jolla, California 92037, Eugene Fan of 7813 Esterel Drive, La Jolla, California 92037, and Michael Willrodt of 157 Avocado Crest Lane, Escondido, California 92025 hereby assign to WYNTEK DIAGNOSTICS, INC., a California corporation having a place of business at 6146 Nancy Ridge Drive, Suite 101, San Diego. California 92121, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the invention and improvements which are the subject of an application for United States Patent Serial No. 08/900,559 entitled **METHODS** OF USE OF ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE FOR STREPTOCOCCUS A ANTIGEN, filed 07/25/97 , this assignment including said application, any and all United States and foreign patents granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents and like rights of exclusion and for inventor's certificates for said inventions and improvements; and I agree for myself and my heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this Assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at SAN DIEGO, this 5 day of
August , 1997.
2
Si-cly cly
Shu-Ching Cheng
State of California
State of California ) ) ss.
County of San Diego )
On August 5, 1997, before me, Doing Cources personally appeared Shu-Ching Cheng personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
WITNESS my hand and official seal.  Signature of Notary
Signature of Notary
DONNA GONZALES Comm. # 1108479 NOTARY PUBLIC - CALIFORNIA San Diego County My Comm. Expires Aug. 15, 2000
IN WITNESS WHEREOF, I hereto set my hand and seal at SAN DIEGO, this 5 day of August, 1997.
the state of the s
Ching Huang
State of California )
) ss.
County of San Diego )
on August 5, 1997, before me, Chick Ochiza personally appeared Ching Huang personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
WITNESS my hand and official seal.
DONNA GONZALES Comm. 1108479 NOTARY PUBLIC CALIFORNIA San Diego County  Signature of Notary  Signature of Notary

IN WITNESS WHEREOF, I hereto set my hand and seal at	SAN DIEGO, this 5 day of
August , 1997.	$\overline{A}$ , $\overline{A}$
J.	XD TIES OF W
	Aing-Shian Wu
State of California )	
) ss. County of San Diego )	
- ·	
On Avaust 5, 1997, before me, 1997, befo	ONNIA CONZOUS personally
appeared Ming-Shian Wu personally known to me or proved	to me on the basis of satisfactory
evidence to be the person whose name is subscribed	to the within instrument and
acknowledged to me that he executed the same in his auth	orized capacity, and that by his
signature on the instrument the person, or the entity upon be executed the instrument.	enall of which the person acted,
Oxfording the manufacture.	I
WITNESS my hand and official seal.	$VV_{-}$
<u>-</u>	Oura Comales
DONNA GONZALES	signature of Notary ()
Comm. # 1108479 10	·
NOTARY PUBLIC CALIFORNIA VI San Diego County	•
My Comm. Expires Aug. 15, 2000	
	•
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	·
IN WITNESS WHEREOF, I hereto set my hand and seal at	SAN DIEGO this 5 day of
Aciaust , 1997.	, uns <u>2</u> day or
~5	11.16 1517 -
	Test Suffer (and
	Ierbert Bradfield Cunningham
State of California )	
) ss.	•
County of San Diego )	
On August 5, 1997, before me, 200 appeared Herbert Bradfield Cunningham personally known to	Diana Gonzales
appeared Herbert Bradfield Cunningham personally known to	me or proved to me on the basis
of satisfactory evidence to be the person whose name is sul	escribed to the within instrument
and acknowledged to me that he executed the same in his aut	horized capacity, and that by his
signature on the instrument the person, or the entity upon texecuted the instrument.	ehalf of which the person acted,
executed the instrument.	$\cap$ .
WITNESS my hand and official seal.	1/1/20 /
•	( Chinalled mals
DONNA GONZALES	Signature of Notary
AST A DOOR	
Comm. # 1108479	
Comm. # 1108479 NOTARY PUBLIC CALIFORNIA San Diego County	

IN WITNESS WHEREOF, I hereto set my hand and seal at SAN DIEGO, this 5 day of August, 1997.
Michael Willrodt
State of California )
County of San Diego )
On August 5, 1997, before me, Donna Conzalos personally appeared Michael Wilfrodt personally known to me of proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
WITNESS my hand and official seal.
DONNA GONZALES  Comm. # 1108479  NOTARY PUBLIC CALIFORNIA  San Diego County  My Comm. Expires Aug. 15, 2000
<b>94.</b> 1. ~
IN WITNESS WHEREOF, I hereto set my hand and seal at SAN DIEGO, this 5 day of Luguet, 1997.  Grand Fugene Fan
Eugené Fan
State of California ) ) ss.
County of San Diego )
On August 5, 1997, before me, Jong Conza personally appeared Eugene Fan personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
WITNESS my hand and official seal.
DONNA GONZALES Comm. # 1108479 NOTARY PUBLIC - CALIFORNIA San Diego County My Comm. Expires Aug. 15, 2000



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER **DF PATENTS AND TRADEMARKS** Washington, D.C. 20231

JULY 26, 2005

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LEGAL DEPARTMENT 15 PLEASANT STREET CONNECTOR GENZYME CORPORATION FRAMINGHAM, MA 01701.

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RECORDATION DATE: 07/25/2005

REEL/FRAME: 016301/0464

NUMBER OF PAGES: 7

BRIEF: STOCK PURCHASE AGREEMENT

ASSIGNOR:

WYNTEK DIAGNOSTICS, INC.

DOC DATE: 04/30/2001

ASSIGNEE:

GENZYME CORPORATION 500 KENDALL STREET CAMBRIDGE, MASSACHUSETTS 02142

SERIAL NUMBER: 11154274

PATENT NUMBER: TITLE:

PATENT NUMBER:

FILING DATE: ISSUE DATE:

SERIAL NUMBER: 08900559

FILING DATE: 07/25/1997

ISSUE DATE:

TITLE: METHODS OF USE OF ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE FOR

STREPTOCOCCUS A ANTIGEN

016301/0464 PAGE 2 .

SERIAL NUMBER: 08444238 FILING DATE: 05/18/1995
PATENT NUMBER: 5712172 ISSUE DATE: 01/27/1998
TITLE: ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE AND METHOD OF USE

SERIAL NUMBER: 09590432 FILING DATE: 01/09/1998
PATENT NUMBER: 6368876 ISSUE DATE: 04/09/2002
TITLE: ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE AND METHOD OF USE

JEFFREY OLSEN, SUPERVISOR ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

#### STOCK PURCHASE AGREEMENT

THIS STOCK PURCHASE AGREEMENT (this "Agreement") dated as of April 30, 2001 is among Genzyme Corporation ("Buyer"), a Massachusetts corporation, Wyntek Diagnostics, Inc. ("Company"), a California corporation, all of the shareholders of Company (the "Stockholders"), Eugene (Chris) Fan, as representative of the Stockholders, and Shu-Ching Cheng and Ming-Shian Wu, each as alternate representatives of the Stockholders.

#### RECITALS

- A. The Stockholders each own the number of shares of common stock, no par value, of Company ("Company Common Stock") as set forth in <u>Schedule I</u> attached hereto (the "Shares"), which Shares represent all of the issued and outstanding shares of capital stock of Company.
- B. Buyer desires to purchase, and each Stockholder desires to sell, the Shares for the consideration set forth below, subject to the terms and conditions of this Agreement.
- C. Company desires to enter into this Agreement because of the significant benefits it expects to receive through its association with a larger entity as a result of Buyer's purchase of the Shares.

In consideration of the mutual representations, warranties and covenants contained herein, the parties hereto agree as follows:

#### SECTION 1 - PURCHASE AND SALE OF THE SHARES

- Purchase of the Shares from the Stockholders. Subject to and upon the terms and conditions of this Agreement, at the closing of the transactions contemplated by this Agreement (the "Closing"), each Stockholder shall sell, transfer, convey, assign and deliver to Buyers, and Buyer shall purchase, acquire and accept from each Stockholder, all the Shares owned by each Stockholder (the "Stock Purchase") as set forth opposite each Stockholder's name in Schedule I attached hereto (or, if applicable, as updated and delivered to Buyer in accordance with Sections 5.12 and 7.8). At the Closing, each Stockholder shall deliver to Buyer certificates evidencing the Shares owned by such Stockholder, duly endorsed in blank or with stock powers duly executed by such Stockholder.
- 1.2 <u>Further Assurances</u>. At any time and from time to time after the Closing, at Buyer's request and without further consideration, each Stockholder shall promptly execute and deliver such instruments of sale, transfer, conveyance, assignment and confirmation, and take all such other action as Buyer may reasonably request, more effectively to (a) transfer, convey and assign to Buyer, and to confirm Buyer's title to, all of the Shares owned by such Stockholder and (b) to carry out the purpose and intent of this Agreement.

(b) Ming Wu (an officer and director of Company) and Chiu-Shan Chen (a director of Company) each have ownership interests in Trenco, which supplies plastic casings to Company for pregnancy test products under Company's standard purchase orders. Peter Korn (a director of Company) is President of Westview Securities, which will receive a fee upon consummation of the transactions proposed by the Agreement pursuant to the Westview Engagement Letter.

#### Section 3.11 - Title to Properties; Absence of Liens and Encumbrances.

Reference is made to the real property lease dated December 31, 1999 between Company and NMSBPCSLDHB for Company's facilities at 6659 Top Gun Street, San Diego, CA.

### Section 3.12 - Intellectual Property.

To the knowledge of Company, Company solely owns or is licensed to use the following patents, patent applications, trademarks, service marks, trade names and copyrights:

- (i) United States Patent No. 5,712,172 issued January 27, 1998.
- (ii) United States Patent Application Serial No. 09/590,432 filed January 1, 1998.
- (iii) European Patent Application Serial No. 96911611.
- (iv) United States Patent No. 6,194,221 B1 issued February 27, 2001.
- (v) United States Patent Application Serial No. 08/752,695 filed November 19, 1996.
- (vi) Canadian Patent Application Serial No. 2,272,289
- (vii) European Patent Application Serial. No. 9794502.5
- (viii) United States Patent Application Serial No. 08/900,559 filed February 1, 1999.
- (ix) Canadian Patent Application Serial No. 2297172.
- OSOM trademark was filed with the United States Patent and Trademark Office ("PTO") on June 19, 1995 and issued as Registration No. 2,099,931.
- (xi) Wyntek Diagnostics logo was filed with the PTO on March 1, 1995 and issued as Registration No. 2,139,365.
- (xii) Wyntek corporate name was filed with the PTO on February 2, 1995 and issued as Registration No. 2,158,134.

supplier or agent of Company or any person that is currently a party to any material contract or agreement with Company.

#### 3.11 Title to Properties; Absence of Liens and Encumbrances.

- (a) Company does not own any real property or any buildings or other structures nor has options or any contractual obligations to purchase or acquire any interest in real property. Section 3.11(a) of the Company Disclosure Schedule lists all real property leases to which Company is a party and each amendment thereto. All such current leases are in full force and effect, are valid and effective in accordance with their respective terms, and there is not, under any of such leases, any existing default or event of default (or event that with notice or lapse of time, or both, would constitute a default) that could reasonably be expected to have a Company Material Adverse Effect.
- (b) Company has good and valid title to, or, in the case of leased properties and assets, valid leasehold interests in, all of its tangible properties and assets, real, personal and mixed, used or held for use in its business, and such properties and assets, as well as all other properties and assets of Company, whether tangible or intangible, are free and clear of any liens, pledges, charges, claims, security interests or other encumbrances of any sort ("Liens"), except as reflected in the Audited Financial Statements or in Section 3.11(b) of the Company Disclosure Schedule and except for Liens for taxes not yet due and payable and such imperfections of title and encumbrances, if any, that are not material in character, amount or extent, and that do not materially detract from the value, or materially interfere with the present use, of the property subject thereto or affected thereby.
- Intellectual Property. To the knowledge of Company, Company solely owns or is licensed to use those patents, patent applications, trademarks, service marks, trade names, and copyrights listed on Section 3.12 of the Company Disclosure Schedule (collectively, the "Proprietary Rights"). None of the patents, registered trademarks or registered copyrights set forth on the list referred to above and owned by Company have expired or been held invalid by a court of competent jurisdiction, nor are any subject to any taxes, maintenance fees or actions falling due within 90 days. Except as set forth in Section 3.12 of the Company Disclosure Schedule, Company is not aware of any claim by any third party made to Company that the business of Company (including products currently under development) infringes upon the proprietary rights of others, nor has Company received any notice or claim of infringement from any third party. Except as set forth in Section 3.12 of the Company Disclosure Schedule. Company has not licensed any of the Proprietary Rights to any third party. To the knowledge of Company, none of the activities of the employees of Company on behalf of Company violates any agreement or arrangement that any such employees have with former employers. All employees and consultants who contributed to the discovery or development of any of the Proprietary Rights did so either (a) within the scope of his or her employment such that, in accordance with applicable law, all Proprietary Rights arising therefrom became the exclusive property of Company or (b) pursuant to written agreements assigning all Proprietary Rights arising therefrom to Company.
- 3.13 <u>Insurance</u>. <u>Section 3.13</u> of the Company Disclosure Schedule sets forth a true and complete list of all policies or binders of fire, liability, product liability, workmen's

IN WITNESS WHEREOF, the parties have executed this Stock Purchase Agreement under seal as of the date first stated above.

WYNTEK DIAGNOSTICS, INC.

By\_\_

Eugene (Chris) Fan

President

**GENZYME CORPORATION** 

By\_

David D. Fleming
Group Senior Vice President

STOCKHOLDER REPRESENTATIVE

Eugene (Chris) Fan

FIRST ALTERNATE STOCKHOLDER REPRESENTATIVE

Shu-Ching Cheng

SECOND ALTERNATE STOCKHOLDER REPRESENTATIVE

Ming-Shian Wu

IN WITNESS WHEREOF, the parties have executed this Stock Purchase Agreement under seal as of the date first stated above.

WYNTEK DIAGNOSTICS, INC.

Ву		_
Eugene (Ch	oris) Fan	
President	*	
riesident		
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GENZYME C	ORPORATION	
•	•	
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: (6	aved D. Klewing	
Ву <i>Ц</i> У	area H- Henry	
David D. I	Fleming	
Group Sen	nior Vice President	
•		
STOCKHOLI	DER REPRESENTATIVE	
STOCKHOL		
- (Cl.:	a) For	
Eugene (Chri	s) ran	
	TED OTOCVIIOI DED	
	ERNATE STOCKHOLDER	
REPRESEN	TATIVE	
•		•
Shu-Ching C	Cheng	
SECOND A	LTERNATE STOCKHOLI	E
REPRESEN		
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	***	
Ming-Shian	ı Wu	